

## EXHIBIT 451

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

- - -  
IN RE: NATIONAL :  
PRESCRIPTION : MDL No. 2804  
OPIATE LITIGATION :  
\_\_\_\_\_ : Case No.  
THIS DOCUMENT RELATES : 1:17-MD-2804  
TO ALL CASES : Hon. Dan A. Polster

- - -  
Thursday, January 3, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
CONFIDENTIALITY REVIEW

- - -  
Videotaped deposition of JILL A. STRANG, held  
at the offices of Cavitch, Familo & Durkin,  
1300 East Ninth Street, Cleveland, Ohio, commencing at  
8:57 a.m., on the above date, before Carol A. Kirk,  
Registered Merit Reporter and Notary Public.

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deps@golkow.com

	Page 106	Page 108
1	an order as suspicious, correct?	1 MR. JOHNSON: Objection.
2	A. No.	2 A. I do not know that.
3	Q. Okay. And I'm assuming, based on	3 Q. Okay.
4	the testimony you just gave me, that there was	4 THE VIDEOGRAPHER: Counsel on the
5	never a time where you or anyone at DDM stopped	5 phone, could you put your phone on mute,
6	a -- or suspended a shipment of a controlled	6 please.
7	substance based on a concern that it was	7 BY MR. MULLIGAN:
8	suspicious, correct?	8 Q. Do you know whether DDM -- other
9	A. Correct.	9 than that one-month report -- ever analyzed data
10	Q. Do you know whether any DDM	10 that it collected regarding the movement of
11	pharmacist has refused to fill a prescription on	11 controlled substances to determine whether
12	the belief that it was suspicious?	12 diversion was taking place?
13	MR. JOHNSON: Objection.	13 A. I do not know.
14	A. I do not.	14 Q. You don't know? Okay.
15	Q. You don't know? Do you know who	15 A. No.
16	would know that?	16 Q. Were you ever involved in any sort
17	A. Peter or Jason.	17 of internal audit regarding the sale of opioids
18	Q. Are you aware of the procedures	18 to identify patterns regarding prescriptions?
19	that they have in place with their pharmacists	19 A. Repeat that, please.
20	to, you know, communicate about orders that a	20 Q. Have you ever been involved in any
21	pharmacist determined were suspicious?	21 sort of DDM audit or investigation to look at
22	A. I do not, other than that report	22 opioid sales to determine whether there were any
23	that Jason uses on a monthly basis to ask about	23 patterns that may reflect diversion was taking
24	that, but on a specific occasion, no, I do not.	24 place?
	Page 107	Page 109
1	I do not -- I'm not involved in that.	1 MR. JOHNSON: Objection.
2	Q. When you communicate with	2 You can answer.
3	pharmacists about, you know, "Hey, was this	3 A. No.
4	order what you meant to order," would you	4 Q. Okay. I know you said that you've
5	provide them with any sort of forms, or would	5 never identified a suspicious order, correct?
6	that communication be oral?	6 A. Correct.
7	A. Oral.	7 Q. And you don't know of anyone at
8	Q. Okay. Did you ever send an	8 DDM who has ever identified a suspicious order,
9	e-mail?	9 correct?
10	A. No.	10 A. Correct.
11	Q. Any reason why it would be oral	11 Q. Have you or anyone ever identified
12	and not be an e-mail?	12 a possible suspicious order that required
13	A. Because an e-mail -- I needed an	13 additional due diligence or investigation?
14	answer right then and there so we could pull the	14 A. No.
15	order, we could reduce the order, and have it	15 Q. If someone said to you, "I think
16	invoiced and ready to go for the day, because	16 this order is potentially suspicious," what
17	we'd be waiting on that.	17 would you do? Would you know what to do? Is
18	Q. So you're in the midst of filling	18 there a policy or procedure that says what the
19	this order and you catch this glitch and you --	19 next steps are?
20	everything has to stop until you resolve it so	20 A. There is not a written policy, but
21	you pick up the phone and you call them?	21 I would definitely go to my supervisor and make
22	A. Yes.	22 them aware of it.
23	Q. Okay. Do you know whether DDM has	23 Q. And that would be Jason and Pete?
24	ever identified a pill mill?	24 A. Correct.

	Page 130		Page 132
1	Q. And the response identifies Tom	1	suspicious order monitoring policies are,
2	Nameth, P.J. Ferut --	2	correct?
3	MR. JOHNSON: Ferut.	3	MR. JOHNSON: Objection.
4	Q. -- Ferut, Jill Strang, Jason	4	A. No.
5	Briscoe, Pete Ratycz, and Keith Miller.	5	Q. Okay. So clarify that for me.
6	Do you see that?	6	A. There were 16 or 17 documents
7	A. Yes.	7	about VAWD, one of which that's in that
8	Q. Do you know what each of these	8	procedure is about suspicious ordering. There's
9	individuals did as it relates to that activity?	9	nothing in writing about suspicious ordering, to
10	I mean, obviously we talked about what you did.	10	my knowledge.
11	And I'm just curious if you know the scope of	11	Q. Okay. So DDM has no written
12	what everybody else did.	12	policies and procedures regarding suspicious
13	MR. JOHNSON: I'm going to object.	13	order monitoring?
14	But go ahead.	14	A. Other than what I wrote in VAWD,
15	MR. MULLIGAN: What's the basis of	15	no.
16	your objection?	16	Q. Which was something you wrote as
17	A. Well, P.J. -- oh, sorry.	17	part of an application to get an accreditation,
18	MR. MULLIGAN: Tim --	18	correct?
19	MR. JOHNSON: What's -- I'm sorry?	19	A. Yes.
20	MR. MULLIGAN: What's the basis of	20	Q. But that's not actively used to
21	your objection?	21	train people or to control what happens at DDM
22	MR. JOHNSON: You haven't	22	regarding suspicious orders, correct?
23	established a foundation of knowledge	23	A. No.
24	that she would know what everybody in	24	Q. Okay. And so would it be fair to
	Page 131		Page 133
1	the organization is doing. If you're --	1	say that other than what we've talked about you
2	MR. MULLIGAN: Well, I asked.	2	do, you're not really aware of what anybody else
3	MR. JOHNSON: -- you're asking her	3	does regarding suspicious order monitoring,
4	what their duties are, isn't that better	4	other than Tom and Jason look at that monthly
5	to ask the individuals?	5	report that reflects the year -- last year
6	MR. MULLIGAN: Well, I asked her	6	history?
7	if she knew what their duties were.	7	A. And I do know that P.J. and Keith
8	MR. JOHNSON: Okay.	8	report to ARCOS.
9	MR. MULLIGAN: That was the	9	Q. They make sure that information
10	premise of the question.	10	goes into the system?
11	BY MR. MULLIGAN:	11	A. Yes, yes.
12	Q. You can answer.	12	Q. Do you interact with these
13	A. Keith and P.J. are our computer IT	13	people --
14	people. Pete, Jason, and Tom held the	14	MR. JOHNSON: If you keep watching
15	responsibilities that we've talked about, and	15	that TV, you're going to get seasick.
16	then myself.	16	THE WITNESS: Sorry.
17	Q. Okay. So I appreciate that that's	17	MR. JOHNSON: Okay.
18	what their titles were or that's what their	18	BY MR. MULLIGAN:
19	positions were, but do you know what they did as	19	Q. Do you interact with these people
20	it relates to suspicious order monitoring?	20	on a daily or weekly basis regarding suspicious
21	A. No.	21	orders?
22	Q. Okay. And I think earlier you	22	A. No.
23	testified that there are 16 or 17 documents at	23	Q. Okay. Has anybody at DDM or
24	DDM which go in great detail about what DDM's	24	outside of DDM ever indicated to you that they

Page 194	Page 196	
1 know, it wasn't a DDM policy or procedure ever?	1 Thursday Afternoon Session	
2 A. Shown to me, no.	2 January 3, 2019	
3 Q. Okay. And I think as you	2 12:52 p.m.	
4 testified earlier, that if you were engaged	3 ---	
5 enough in DDM's suspicious order monitoring	4 THE VIDEOGRAPHER: The time is	
6 policies, that if there was one, you'd know	5 12:52. Back on the record.	
7 about it, right?	6 BY MR. MULLIGAN:	
8 A. Correct.	7 Q. All right. We're back after	
9 Q. Okay. So is it possible that this	8 lunch.	
10 was just provided to the wholesaler to check a	9 Are you ready to go, Ms. Strang?	
11 box with them to say, "Hey, we've got something	10 A. Yes.	
12 in writing. Here it is."	11 Q. Okay. Great. Let's start with an	
13 MR. JOHNSON: Objection.	12 exhibit. I'm going to have Ms. Roach hand you	
14 Go ahead and answer.	13 what she's marking as Exhibit 10.	
15 A. The manufacturer.	14 ---	
16 Q. Correct.	15 (DDM-Strang Exhibit 10 marked.)	
17 A. Possibly, or they wanted to see --	16 ---	
18 because it -- it is policies written, I don't	17 BY MR. MULLIGAN:	
19 know if the director of operations was going to	18 Q. And this is DDM12909. And at the	
20 follow through and place it for all of us to	19 top it says, "Rx operational procedure bulletin	
21 make it a true policy.	20 Discount Drug Mart." And the subject is	
22 Q. Okay. But I think as you	21 "Controlled substance quality assurance."	
23 testified earlier that as of even today, DDM	22 Do you see that?	
24 doesn't have any written suspicious order	23 A. Yes.	
Page 195		
1 monitoring policies or procedures, right?	24 Q. Have you ever seen this before?	
2 A. Not that I was aware of, no.	Page 197	
3 Q. So as far as you know, this could	1 A. No.	
4 have just been forwarded to the wholesaler to	2 Q. So do you know whether this	
5 satisfy what they needed so you could get drugs	3 relates to suspicious order monitoring?	
6 for your stores?	4 A. I do not, because it was sent to	
7 A. I can't say that --	5 all the pharmacists, technicians and interns,	
8 MR. JOHNSON: Objection to that.	6 and I do not believe I was given a copy of this.	
9 You can answer the question.	7 Q. Okay. And so to the extent that	
10 A. I can't say that because I don't	8 you're the process owner for suspicious order	
11 remember why it was forwarded.	9 monitoring, would you expect to have been	
12 Q. Okay.	10 included in the drafting and distribution of	
13 MR. MULLIGAN: How do you feel	11 this policy?	
14 about lunch? Do you want to do lunch	12 A. No.	
15 now?	13 Q. And why is that?	
16 MR. JOHNSON: Yeah, it's as good	14 A. It was handled by either Tom or	
17 as any.	15 Jason at the time.	
18 MR. MULLIGAN: Okay.	16 Q. So it would be fair to say that	
19 THE VIDEOGRAPHER: The time is	17 your role in suspicious order monitoring is	
20 12:09. Going off the record.	18 limited solely to the distribution center?	
21 ---	19 A. Yes.	
22 Thereupon, at 12:09 p.m. a lunch	20 Q. So anything that has to do with	
23 recess was taken until 12:52 p.m.	21 how pharmacists evaluate prescriptions and	
24 ---	22 monitor for diversion, you would not be involved	
	23 in that?	
	24 A. No.	

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Monday, January 7, 2019

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	Page 22		Page 24
1	believe, '02.	1	responsibilities were related to diversion.
2	Q. Okay. So it would be fair to say	2	A. Okay. Once a policy was
3	you've got a pretty in-depth understanding as to	3	determined on how we're going to go about
4	how DDM's business works?	4	organizing and making sure that there was no
5	A. I would think so.	5	diversion, whether that be theft or whether it
6	Q. And specifically as it relates to	6	be -- whether it be just routine distribution,
7	its pharmacy?	7	my job was to make sure that the process was
8	A. Yes.	8	done on a regular basis and making -- and react
9	Q. And you're also very well versed	9	to situations when they did come up.
10	in sort of the pharmaceutical business, retail	10	Q. Okay. When was a -- well, you
11	business, if you will?	11	said when a policy was determined, what do you
12	A. Yes.	12	mean by that?
13	Q. Okay. So as the director of	13	A. Well, we're a small company, so we
14	pharmacy operations, what were your primary	14	determined what we wanted to do on a regular
15	responsibilities?	15	basis, on an ongoing basis, whether or not --
16	A. Well, anything that went on, you	16	there was -- at that time there was a report
17	know, in the pharmacies themselves, hiring,	17	that was run on a monthly basis, and someone had
18	firing, you know, staffing, making sure the	18	to review the report on a regular basis, and
19	stores are run properly, looking at stores', you	19	take appropriate steps when necessary. So, you
20	know, profitabilities and inventories.	20	know, we knew our duties at that time and
21	Q. Is there anything else that you	21	fulfilled those duties.
22	were responsible for as director of pharmacy	22	Q. All right. So I'll just -- we're
23	operations that you can think of?	23	talking -- you're talking in very general terms,
24	A. I mean, you know, not offhand.	24	and so what that means is I'm going to have to
	Page 23		Page 25
1	Q. Okay. You know why we're here	1	ask you a lot of follow-up questions, so -- and
2	today, right?	2	that's fine. But I'm going to try to dig into
3	A. Yes.	3	that a little bit more --
4	Q. And why is that?	4	A. Okay.
5	A. Looking at the opioid problems,	5	Q. -- so we don't -- we can get
6	situations, in the country.	6	through it quicker.
7	Q. Okay. And could you be a little	7	Okay. So you said you're a small
8	more specific?	8	company. Can you tell me what the relevance of
9	A. Looking at possible drug	9	that is to what your ultimate policy became?
10	diversion, what that is, and how do you go about	10	A. Well, you know, our company is
11	fighting that problem, I guess.	11	small to the point where we have very little
12	Q. Were you responsible for	12	turnover. So somebody that is in my position,
13	overseeing DDM's system to detect and deter	13	there's only two people really in the corporate
14	diversion?	14	office that was looking at the reporting
15	A. I wouldn't say responsible. As	15	systems.
16	far as what -- as far as writing it or as far as	16	So, you know, we didn't
17	operations or what?	17	necessarily have a written policy, per se, but
18	Q. Go ahead and tell me what you were	18	we knew what the policies were, what our jobs
19	responsible for.	19	were, what our functions were. So it was really
20	A. More of the operational aspect of	20	up to us to maintain that functionality on a
21	it.	21	monthly basis to make sure that, you know, the
22	Q. Okay. How do you define	22	reports were looked at and followed up on,
23	"operational"? I want to just make sure I	23	so ...
24	understand sort of the scope of what your	24	Q. Who was the other person?

	Page 206		Page 208
1	Q. Okay. So the report would say	1	regards to the six-week average if Jill was
2	their average is one bottle for the last year	2	looking at that, but that was still part of the
3	and this month they ordered five bottles, you've	3	program. It wasn't something that I look at,
4	got to look into it?	4	but it was still something that was looked at by
5	A. We have to -- yes, that would be a	5	humans, by people, a set of eyeballs on it.
6	case where I knew that we had different sizes	6	So -- and if she had any questions about it, she
7	and before they would -- they switched sizes.	7	would either contact the stores or contact me
8	They switched size bottles.	8	or -- you know.
9	Q. Okay. Conversely, if a pharmacy	9	Q. Just to be clear, I don't want to
10	was ordering, let's say, two bottles of 100	10	know what Jill did because obviously Jill did
11	tablets and that was their average for the last	11	that, so --
12	12 months, okay? Is that fair example to start?	12	A. All right.
13	A. Yes.	13	Q. Yeah. But just after looking at
14	Q. All right. And then they switched	14	those two letters and all the things we
15	the next month and they -- instead of getting	15	discussed, it's still your position that DDM
16	two bottles of 100 tablets, they get two bottles	16	complied with the obligations that it had under
17	of 500 tablets, would that show up on your	17	the Controlled Substances Act?
18	12-month average rolling report?	18	A. I believe so.
19	A. Yes, because previously they	19	Q. Okay. All right. And just so
20	didn't order any of the 500s. Now they're	20	that we're clear, I want to just confirm, DDM's
21	ordering two. So their history was different.	21	suspicious order monitoring policies and
22	Q. Okay. So it would say -- it would	22	procedures were never put in writing, correct?
23	say your previous 12-month on a 500-tablet	23	A. Correct.
24	bottle is zero and now you've ordered two?	24	Q. Okay. And those policies and
	Page 207		Page 209
1	A. Correct.	1	procedures were not effective at deterring or
2	Q. And that's greater than	2	preventing completely theft of hydrocodone from
3	99 percent?	3	stores, correct?
4	A. Correct.	4	MR. JOHNSON: Objection.
5	Q. So it wouldn't be based on the	5	A. I think that -- you're talking
6	tablet numbers, it would be based on the	6	about distribution level versus store level
7	bottle's size?	7	here, right?
8	A. Yes.	8	Q. I'm just asking you whether DDM's
9	Q. Okay. Was there any other unit	9	suspicious order monitoring policies were
10	that was tracked by that report that would cause	10	effective at preventing --
11	it to generate other than bottle size?	11	A. Yes.
12	A. Not to my knowledge. It's been a	12	Q. -- theft.
13	while since I looked at that report.	13	A. Yes.
14	Q. Okay. After those two letters	14	Q. Okay. But you agreed with me
15	that we looked at from the DEA, do you believe	15	earlier today that there were several instances
16	that DDM complied with every obligation	16	where controlled substances were stolen from a
17	underneath the Controlled Substances Act?	17	DDM pharmacy, right?
18	A. I do. I still think that our	18	A. But -- yes, but the system
19	system, our SOMS system, looked at -- it wasn't	19	caught -- the systems in place caught whatever
20	just the 12-month rolling average. It was --	20	was missing based on our monthly reports, based
21	you know, that was part and parcel of the plan,	21	on the rolling reports, based on everything that
22	the program.	22	we reported.
23	Q. Okay.	23	Q. Right. They caught it after the
24	A. We did have a prospective in	24	fact, but they didn't prevent it, right?

Page 358	Page 360
<p>1 Q. Okay. So a more aggressive 2 controlled substance monitoring system was never 3 implemented?</p> <p>4 A. Correct.</p> <p>5 Q. Okay. Even though this e-mail 6 indicates that it was in the final process, 7 right?</p> <p>8 A. I'm trying to find where that 9 states.</p> <p>10 Q. Second sentence.</p> <p>11 A. Oh, we're in the final process? 12 Unless he is in reference to the Chain Drug 13 Consortium that was mentioned earlier in here 14 that we were looking to aggressively change our 15 controlled drug policy.</p> <p>16 Q. But this more aggressive 17 monitoring system was never put in place, as far 18 as you know, right?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. Is there a reason why you 21 guys were asking the DEA for guidance on your 22 monitoring system in 2013 and didn't do it 23 before that?</p> <p>24 A. No. But even after attending this</p>	<p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. And there's a CDC Controlled 4 Substances Model Policy attached, and this is 5 from Ed McGinley, right?</p> <p>6 A. Right.</p> <p>7 Q. And he says, "Attached is a 8 substance model policy."</p> <p>9 And then down below, he says, "It 10 is a comprehensive document intended to be used 11 as a template to construct controlled substance 12 policies or to evaluate and enhance existing 13 policies."</p> <p>14 Right?</p> <p>15 A. Correct.</p> <p>16 Q. And if you turn to the next page, 17 there's the document he's referring to. 18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. What, if anything, did you do with 21 this document?</p> <p>22 A. We reviewed it to see if it would 23 fit our model.</p> <p>24 Q. Did it fit?</p>
Page 359	Page 361
<p>1 conference, they never really spelled out what 2 methodology they really wanted us to do. It was 3 mentioned during this conference, "What are you 4 doing about all the prescriptions that we're 5 seeing? You know, it's somebody's job to 6 monitor the doctors and all the scripts that 7 we're seeing."</p> <p>8 That's -- that's the source of 9 what -- we're filling their orders. Is anybody 10 monitoring the doctors? Is the AMA? Is the 11 DEA? And their answer was no.</p> <p>12 Q. All right. We're on 23 now, which 13 is DDM31931.</p> <p>14 ---</p> <p>15 (DDM-Nameth Exhibit 23 marked.)</p> <p>16 ---</p> <p>17 BY MR. MULLIGAN:</p> <p>18 Q. And just to confirm, you guys 19 never put your substance -- Controlled Substance 20 Monitoring Policy in writing, correct?</p> <p>21 A. Correct.</p> <p>22 Q. All right. So this is an e-mail 23 from Ed McGinley and you're on the to line on 24 December 2, 2013.</p>	<p>1 A. For the most part, yes, with small 2 tweaks in there.</p> <p>3 Q. Okay. Did you change your 4 unwritten controlled substance monitoring policy 5 at all after seeing this document?</p> <p>6 A. Not on a corporate level.</p> <p>7 Q. Okay. Did you do it on a store 8 level?</p> <p>9 A. No.</p> <p>10 Q. Okay. So this didn't cause you to 11 change anything that you were doing, correct?</p> <p>12 A. Correct.</p> <p>13 Q. Okay. Did you ever provide a 14 document like this to a distributor if they 15 required evidence that you had a suspicious 16 order monitoring policy?</p> <p>17 A. Yes. If they -- what we did, if I 18 remember correctly, in reviewing this -- this 19 was in late '13 -- we looked at this and 20 basically what a lot of this is, or most of it, 21 is what we currently were doing so that if 22 someone did ask us for a written policy -- if we 23 had a policy, this was already written in and it 24 matched what we were currently doing, so we</p>

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Page 1

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<p style="text-align: center;">Page 242</p> <p>1 put in front of you marked as Briscoe 16?</p> <p>2 A. I believe I have, yes.</p> <p>3 Q. Okay. And your counsel forwarded</p> <p>4 this to us last Friday afternoon, and we were</p> <p>5 trying to get the answers to DDM's suspicious</p> <p>6 order monitoring policies and procedures and try</p> <p>7 to put some kind of meat on the bone, so to</p> <p>8 speak, okay? And Judge Polster ordered the</p> <p>9 Defendants to give us some answers to a few</p> <p>10 questions, and I want to take you through a</p> <p>11 couple of those, the ones that relate to your</p> <p>12 suspicious order monitoring policy.</p> <p>13 So who would be the right person</p> <p>14 to talk to about the transactional data, those</p> <p>15 two charts that we just went through from like</p> <p>16 '99 to 2002, and what's there and what's not, is</p> <p>17 it accurate, are we missing, is there holes --</p> <p>18 who would be the right person that would know</p> <p>19 that?</p> <p>20 A. So I believe both have been named.</p> <p>21 The previous director or VP of IT, her name is</p> <p>22 P.J. Ferut.</p> <p>23 Q. Okay.</p> <p>24 A. And then our current director of</p>	<p style="text-align: center;">Page 244</p> <p>1 about 1:30, and we were already en route here.</p> <p>2 So I don't have a real good command of where we</p> <p>3 are with all these, and they're a big stack,</p> <p>4 okay?</p> <p>5 So what I want you to do is not</p> <p>6 worry about the stack so much, but recognize</p> <p>7 that I might not have a real good command of the</p> <p>8 stack. And I just have a few questions.</p> <p>9 So do you believe that from</p> <p>10 January of '06 that the suspicious order</p> <p>11 monitoring systems, policies, and procedures are</p> <p>12 in writing within DDM evidencing what the</p> <p>13 formulas and the methodology was?</p> <p>14 A. In writing from 2006?</p> <p>15 Q. Yes.</p> <p>16 A. I don't believe so.</p> <p>17 Q. Do you know when, at what point in</p> <p>18 time, there was something in writing evidencing</p> <p>19 DDM's system that was designed to identify</p> <p>20 suspicious orders, when was that put into</p> <p>21 writing?</p> <p>22 A. I don't know.</p> <p>23 Q. Do you know if it was ever put</p> <p>24 into writing?</p>
<p style="text-align: center;">Page 243</p> <p>1 IT is Keith Miller.</p> <p>2 Q. All right. So P.J. Ferut could</p> <p>3 help --</p> <p>4 A. P.J. Ferut and Keith Miller.</p> <p>5 Q. Okay. Perfect.</p> <p>6 All right. Number 2 is "Please</p> <p>7 produce each of your Suspicious Order Monitoring</p> <p>8 System (SOMS) policies and procedures since</p> <p>9 January of '06 and identify the Bates stamp</p> <p>10 range for each. Please identify the effective</p> <p>11 dates each was in force and effect."</p> <p>12 Did I read that right?</p> <p>13 A. Yes.</p> <p>14 Q. Bear with me here, Mr. Briscoe. I</p> <p>15 just thought of something I forgot to look at</p> <p>16 beforehand.</p> <p>17 Now, your counsel was kind</p> <p>18 enough -- as you can see here, it says, "To the</p> <p>19 extent the Bates range stamps are needed, we</p> <p>20 will supplement." Okay? And we did inquire to</p> <p>21 try to get the Bates ranges. And I'm going</p> <p>22 to -- if the last few hours wasn't awkward</p> <p>23 enough, this might be worse, because we got</p> <p>24 those with working with your counsel yesterday</p>	<p style="text-align: center;">Page 245</p> <p>1 A. I know that in preparation for,</p> <p>2 you know, these documents in my deposition, we</p> <p>3 formalized by describing what our policies and</p> <p>4 procedures are.</p> <p>5 Q. Now, what do you mean by that, "In</p> <p>6 preparation for these documents in my deposition</p> <p>7 we formalized by describing ..."? What do you</p> <p>8 mean?</p> <p>9 A. Meaning I did not go to a document</p> <p>10 or a policy and procedure that was created to</p> <p>11 hand over as describing our -- the way that we</p> <p>12 operated.</p> <p>13 Q. That would have made it real easy,</p> <p>14 wouldn't it?</p> <p>15 A. Yes, it would.</p> <p>16 Q. Because it really -- there wasn't</p> <p>17 anything in writing, right?</p> <p>18 A. I think there were components in</p> <p>19 writing. I don't know that it was -- that all</p> <p>20 the dots were connected in a policy and</p> <p>21 procedure.</p> <p>22 Q. Let's make it -- let's maybe see</p> <p>23 if we can connect some of those dots, okay?</p> <p>24 The 52-week average report that we</p>